



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

Michael L. Retzer, Treasurer  
Republican National Committee  
310 First Street SE  
Washington, DC 20003

JUN 11 2003

Identification Number: C00003418

Reference: October Monthly Report (9/1/02-9/30/02)

Dear Mr. Retzer:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedule A supporting Line 15 of your report discloses a payment(s) from a federal candidate committee(s) for goods and/or services provided by your committee. 11 CFR §100.7(a)(1)(iii)(A) states that "...the provision of any goods or services without charge or at a charge which is less than the usual and normal charge for such goods or services is a contribution." Examples of goods and services include equipment, supplies, personnel, membership lists and mailing lists. The term "usual and normal charge" for goods is defined as "...the price of those goods in the market from which they ordinarily would have been purchased at the time of the contribution". The usual and normal charge for services is defined as "...the hourly or piecework charge for the services at a commercially reasonable rate prevailing at the time the services were rendered." 11 CFR §100.7(a)(1)(iii)(B)

Please clarify whether your committee assessed the usual and normal charge for the goods and/or services you provided to the federal candidate committee(s) and explain the steps your committee took in determining the amount(s) charged. If your committee provided the goods and/or services at less than the usual and normal charge, the difference between the two is considered to be an in-kind contribution by your committee to the federal candidate committee(s) and is subject to the limits set forth at 2 U.S.C. §441a. (11 CFR §100.7(a)(1)(iii)(A))

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-Schedule B supporting Line 23 of your report discloses one or more contributions to a candidate(s) for the Primary election; however, the funds were disbursed after the election date(s) (pertinent portion(s) attached). Please note that contributions may not be designated for an election which has already occurred unless the funds are to be used to reduce a candidate committee's debts incurred during that election campaign.

If any apparently impermissible contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information.

If you have made an impermissible contribution, you must request a refund or provide a written authorization for a redesignation of the contribution pursuant to 11 CFR §110.2(b) within 60 days of the treasurer's receipt.

If the foregoing conditions for redesignations were not met within 60 days of the treasurer's receipt, your committee must obtain a refund.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of the refund or redesignation request sent to the recipient committee(s). In addition, any refunds should be disclosed on Schedule A supporting Line 16 of the report covering the period during which they are received. Any redesignations should be disclosed as memo entries on Schedule B supporting Line 23 of the report covering the period during which the redesignation is made. 11 CFR §110.1(b)

Although the Commission may take further legal action regarding this impermissible activity, your prompt action in obtaining a refund and/or redesignating the contribution(s) will be taken into consideration.

-The limitation on making coordinated expenditures on behalf of Senate and House candidates for the 2002 general election is \$470,277 for New Jersey Senate candidates and \$35,910 for House candidates. Your reports, however, disclose coordinated expenditures made on behalf of Doug Forrester totaling \$634,000 and Dick Monteith totaling \$71,000 that appear to exceed the limitations under 2 U.S.C. §441a(d) (pertinent portions attached).

If any apparently excessive expenditure in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information.

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If you have made an excessive coordinated expenditure, you must notify the candidate and request a refund of the amount in excess of the limitation.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of the refund request sent to the candidate. In addition, any refunds should be disclosed on Schedule A supporting Line 16 of the report covering the period during which they are received.

Although the Commission may take further legal action concerning the excessive coordinated expenditures, prompt action in obtaining a refund will be taken into consideration.

-Schedule B supporting Line 22 of the Detailed Summary Page discloses a \$97,876.24 transfer to the Mississippi Republican Party on 9/11/02; however, a review of the reports filed by this committee does not disclose the receipt of this transfer. A review of the reports filed by the Missouri Republican State Committee discloses the receipt of \$97,876.24 on 9/12/02 from the Republican National Committee. Please amend your reports to disclose the ultimate recipient of this transfer or provide additional clarifying information.

-Please clarify all expenditures made for PRODUCTION COST, ADVERTISING COST, VIDEO SERVICES, BROADCAST SERVICES, and MEDIA SERVICES on Schedule(s) B and H4. If a portion or all of these expenditures were made on behalf of specifically identified federal candidates, this amount should be disclosed on Schedules B, E, or F supporting Lines 23, 24, or 25 and include the amount, name, address and office sought by each candidate. 11 CFR §§104.3(b) and 106.1

-Itemized disbursements must include a brief statement or description of why the disbursements were made. Please amend Schedule(s) H4 of your report to clarify the following description(s): RAD415, CAP414, SPL050, GRA935. For further guidance regarding acceptable purposes of disbursements, please refer to 11 CFR §104.3(b)(3).

-Line 1 and Line 5 of your Schedule I for your Republican National State Election Committee Non-Federal account discloses \$8,197,817.20 in receipts and \$745,942.21 in disbursements, respectively. However, the sum of the memo entries itemized on memo Schedule A equal \$8,055,256.80 and the sum of the memo entries itemized on memo Schedule B equal \$746,280.03. Please clarify these apparent discrepancies.

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A response or amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530 (at the prompt press 1, then press 2 to reach the Reports Analysis Division). My local number is (202) 694-1130.

Sincerely,



Scott Walker

Senior Campaign Finance Analyst  
Reports Analysis Division

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**SCHEDULE B (FEC Form 3X)  
ITEMIZED DISBURSEMENTS**

 (See separate instructions)  
for each category of the  
Detailed Summary Page

 FOR LINE NUMBER:  
(check only one)

PAGE 1013011155

21a	22	23	24	25
26	27	28a	28b	29

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

 NAME OF COMMITTEE (in full)  
 REPUBLICAN NATIONAL COMMITTEE

 A. Full Name (Last, First, Middle Initial)  
 TOM COLE FOR CONGRESS

 Mailing Address  
 PO BOX 722258  
 OK  
 NORMAN

 State  
 OK Zip Code  
 73070

 Purpose of Disbursement  
 CONTRIBUTION DISBURSEMENT

 Candidate Name  
 Tom Cole

 Category  
 Type

 Office Sought: ☒ House  
 Senate  
 President

 Disbursement For: 2002  
 Primary ☒ General  
 Other (specify)

State: OK District: 1

Date of Disbursement

08/11/2002

Amount of Each Disbursement This Period

5000.00

Transaction ID: L20B01039460

 B. Full Name (Last, First, Middle Initial)  
 TOM COLE FOR CONGRESS

 Mailing Address  
 PO BOX 722258  
 OK  
 NORMAN

 State  
 OK Zip Code  
 73070

 Purpose of Disbursement  
 CONTRIBUTION DISBURSEMENT

 Candidate Name  
 Tom Cole

 Category  
 Type

 Office Sought: ☒ House  
 Senate  
 President

 Disbursement For: 2002  
 Primary ☒ General  
 Other (specify)

State: OK District: 1

Date of Disbursement

08/13/2002

Amount of Each Disbursement This Period

5000.00

Transaction ID: L20B010831451

 \$10000.00  
 TOTAL of Disbursements This Page (optional)

TOTAL This Period (last page this line number only)

10000.00

FEC Schedule B (Revised 12/01)

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